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January 30, 2004

Via Hand Delivery

Deborah Taylor Tate, Chairman
Tennessee Regulatory Authority
460 James Robertson Parkway
Nashville, TN 37243-0505

Re: In re: Tennessee Regulatory Authority Telephone Service Standard Rules
Docket No.: 00-00873

Dear Ms. Tate:

Enclosed for filing in the above-referenced proceeding are an original and twelve copies of the Comments of the Citizens Companies.

Should you have any questions, please do not hesitate to call.

Very truly yours,

STOKES BARTHOLOMEW
EVANS & PETREE P.A.



Charles W. Cook

CWC/eu
Enclosures

**BEFORE THE TENNESSEE REGULATORY AUTHORITY
NASHVILLE, TENNESSEE**

IN RE: TENNESSEE REGULATORY)	
AUTHORITY TELEPHONE SERVICE)	Docket No. 00-00873
STANDARD RULES)	

COMMENTS OF THE CITIZENS COMPANIES

Citizens Telecommunications Company of Tennessee, LLC and Citizens Telecommunications Company of the Volunteer State, LLC (the "Citizens Companies"), by their attorneys, respectfully offer these Comments on the Authority's proposed revision to Rule 1220-4-2-.07 entitled "Obligations of Resellers and Underlying Carriers of Local and Intrastate Long Distance Service upon the Termination of Service."

The current proposal, released January 16, 2004, replaces a previous proposal released June 12, 2002. The Citizens Companies had far fewer concerns about the previous proposal, and urge the Authority to establish an industry workshop to deal with the issues of the new proposal. The primary concerns of the Citizens Companies are:

(1) The current proposal provides an incentive for a reseller, even a solvent one, to fail to notify its customers and to shift the burden and cost of doing so to the underlying carrier. It is unlikely that a reseller being terminated for nonpayment will ever reimburse the underlying carrier for the cost of notifications.

(2) Notifications by the underlying carrier are likely to be problematical in any event, because the underlying carrier knows only the street address where the service is provided, not the billing name and address to which any notice should be sent.

(3) The current proposal requires the underlying carrier to provide up to 14 days' free basic local exchange services to customers who fail to make a choice. This would provide an incentive to customers not to make a choice until the last minute, and would tend to be

confiscatory. The Citizens Companies believe that the requirement of free service should be limited to situations where required by factors such as public health or safety.


(4) The Citizens Companies are not aware of any Emergency Service Continuity Plan rates as provided in subsection (4)(g) and are concerned about a possible inclination to establish unreasonably low and discriminatory rates to cover such a situation. It would be exceedingly labor intensive to make multiple billing changes in a short period of time, such as from reseller billing to Continuity Plan billing to normal underlying carrier end user billing.

(5) As drafted, even after the free 14 day period of service, subsection (4)(g) could be read to forbid termination of service to any end user who has placed an order for service with the underlying carrier, even though the underlying carrier may not be obligated to provide service to that end user because of past unpaid accounts.

(6) The Citizens Companies do not have the technical ability to provide the intercept recording on end users' lines contemplated by subsection (3)(b). Thus, the regulation would compel the Citizens Companies to take over the responsibility for notifying end users if the carrier fails to provide proper notifications.

For these reasons the Citizens Companies respectfully request the Authority to convene an industry workshop to consider these issues and those that any other parties may raise.

Respectfully submitted,



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CERTIFICATE OF SERVICE

This is to certify that a copy of this pleading has been served upon the following counsel or designated representatives for all parties of record by U.S. Mail this 30th day of January, 2004:

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